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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 02 November 2009.

2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-4,6-11 and 13-21 is/are pending in the application.

    4a) ☐ Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-4, 6-11, and 13-21 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

DETAILED ACTION

1.   In the response to the RCE and amendment filed on 11/02/2009, claims 1-4, 6-11, and 13-21 are pending in this application. However, Applicant's arguments have been fully considered but Applicant's arguments are not persuasive (see response Applicant's argument below).

Summary of claims

2.   Claims 1-4, 6-11, and 13-21 are pending.

    Claims 1-4, 6-11, and 13-21 are rejected.

    Claims 5 and 12 are canceled.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

    Claims 1, 8 and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The amendment claims 1, 8 and 15 recite "without regard as to while there is available memory for storing at least one additional record or the amount of time the one or more records has been store" which was not described in the specification.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

a.   Claims 1-2, 7-9, 13-16, and 19-21 are rejected under 35 U. S. C. § 102 (b) as

being anticipated by Cornuejols (US Pub. 2004/0117315 A1).

With respect to claim 1, Cornuejols discloses a system for managing records, the system

comprising:

a database (*i.e., "detecting that said address or this remote site domain name corresponds to a*

symbol sequence stored in a database" (0018))

a remote computer (*1*) (*i.e., "determining that the remote site is listed in a database" (0019)*)

including;

a memory, in which the record is stored (*i.e., "Program by monitoring the*

copying of files stored in memory 108…kept in terminal 100" (0232));

a processor (*109 (fig. 1)*); and

a record management system in communication with the memory and the

processor and configured to classify one or more of the records (*i.e., "indicates if this recording*

concerns confidential information …this recording concerns a financial transaction …recording concerts critical

confidential information" (0186) and Examiner asserts that "confidential information" and "critical confidential

information" are classified and is equivalent with "classify" claimed invention) and, in response to an

instruction from a user, instruct the processor to file one or more of the record with the database
(*i.e., "(in particular a delivery related to **a financial transaction**) and at which the user will be asked about the*
correct completion of this action" (0190) and Examiner asserts that completion the transaction or "at the end of the
transaction"(0075) is equivalent with limitation of "filed one or more of the recorded with database" of claimed
invention) after the classification of the one or more of the records and upon filing one or more of
records with the database automatically instruct the processor to delete one or more of the record
from the memory without regard as to whether there is available memory for storing at least one
additional record or the amount of time the one or more record has been stored (*i.e., "when no*
*transaction is detected, a site page trace is stored in a permanent memory and **automatically deleted as a function***
*of the permanent memory space** which is available and/or allocated to the implementation of the invention method"*
*(0124) or "when no **transaction has been detected**, according to the **user setup or the default** assistance software*
*setup, either **the recording is deleted** or it is stored and put on a list of recording with an indicator that allows it to*
*be automatically deleted after a predetermined storage duration or according to the **memory space available***
(0243)) (*Examiner asserts that according to "user setup" or "transaction" and those are the instruction from a*
user).

     With respect to claims 2, 9, 16 and 19-20, Cornuejols discloses wherein instruct the
processor to classify one or more of the records while the one or more records are stored in the
memory (*i.e., "indicates if this recording concerns confidential information ...this recording concerns a*
financial transaction ...recording concerts critical confidential information" (0186) and Examiner asserts that
"confidential information" and "critical confidential information" are classified and is equivalent with "classify"
claimed invention).

     With respect to claim 7, Cornuejols discloses wherein the record management system is
further configured to instruct the processor to display a **property of the record** (*i.e., "the trace or*

*record stored identifiers what has been displayed on screen 104 and possibly the duration of the display" (0169) or
"record the page displayed" (0174)*).

With respect to claims 8-9, 13 and 15, Cornuejols discloses a method for the
management of electronic records, the method comprising the steps of,

classifying one or more of the records at the remote computer, wherein the one or more
of the records is stored in memory on the remote computer (*i.e., "indicates if this recording concerns
confidential information...this recording concerns a financial transaction ...recording concerts critical
confidential information" (0186) and Examiner asserts that "confidential information" and "critical confidential
information" are classified and is equivalent with "classify" claimed invention*)

filing one or more of the record stored on a remote computer (*1*) with a separate central
database in response to an instruction from a user (*i.e., "(in particular a delivery related to a financial
transaction) and at which the user will be asked about the correct completion of this action" (0190) and Examiner
asserts that completion the transaction or "at the end of the transaction "(0075) is equivalent with limitation of
"filed one or more of the recorded with database" of claimed invention*); and

automatically deleting one or more of the record from the remote computer while
there is available memory for storing at lest one additional record, upon filing one or more of the
record with the central database via a record management system stored on the remote computer
(*i.e., "when no transaction is detected, a site page trace is stored in a permanent memory and automatically deleted
as a function of the permanent memory space which is available and/or allocated to the implementation of the
invention method" (0124) or "when no transaction has been detected, according to the user setup or the default
assistance software setup, either the recording is deleted or it is stored and put on a list of recording with an
indicator that allows it to be automatically deleted after a predetermined storage duration or according to the
memory space available" (0243)) (Examiner asserts that according to "user setup" or "transaction" and those are
the instruction from a user*).

With respect to claim 14, Cornuejols discloses wherein including display a property of

the record (*i.e., "the trace or **record stored identifiers** what has been **displayed on screen 104** and possibly the*

duration of the display" (0169) or "record the page displayed" (0174)).

With respect to claim 21, Cornuejols discloses wherein including display a property of

the record (*i.e., "the trace or **record stored identifiers** what has been **displayed on screen 104** and possibly the*

duration of the display" (0169) or "record the page displayed" (0174)).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made

b.   Claims 1-4, 6-11, and 13-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lin et al. (US Pat. 6,122,663) in view of Heckerman et al. (U.S. Pub.

No. US200400832270 A).

With respect to claim 1, Lin et al. discloses a system for managing records, the system

comprising:

a database (*10*) (*i.e., "update a remote database 10" (col. 3, line 17) or "Remote*

database 10 is preferably an SQL" (col. 4, line 26-30))

a remote computer (*1*) (*i.e., "Client computer 1 may be, for example, a standard desktop or*

notebook personal computer" (col. 3, line 23-27)) including;

a memory, in which the record is stored (*i.e., "Program monitor 4 may be distributed as pre-loaded software (comprising a set of executable instruction) resident in a memory of a personal computer, such as the hard-disk of a note book computer" (col. 4, line 1-6)*);

a processor (*i.e., "a personal computer" (col. 4, line 3)*); and

a record management system (*i.e., "Operating system 2 is capable of managing a plurality of concurrently running tasks 6" (col. 3, line 46-56)*) in communication with the memory (*i.e., "resident in a memory" (col. 4, line 3)*) and the processor and configured to, in response to an instruction from a user (*i.e. "a graphical user interface **which enables a user** of client computer1 to launch a variety of displayed **application programs**" (col. 3, line 3-10)*), instruct the processor to file one or more of the record with the database (*i.e., "program monitor 4 may also update a remote database 10 resident on server computer 8" (col. 3, line 16-18) or "Once the new application record is built in local record file 5, program monitor 4 reports the LauchID and EndDateTime, along with a ClientID, to server computer for **storage in remote database 10**" (col. 5, line 45-48) and Examiner asserts that based on response to an instruction from user to the graphical user Interface (col. 3, line 3-10), the application program will be filed the record in local record file 5 and the database10 by program monitor (col. 5, line 45-50) as claimed invention*) and upon filing one or more of records with the database (*10*) (*fig. 1*) automatically instruct the processor to delete one or more of the record from the memory (*5*) (*fig. 1*) ((*i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*), without regard to as to whether there is available memory for storing at least one additional record or the amount of time the one or more record has been stored (*see response at part d below*), but Lin et al. does not explicitly disclose

wherein classify one or more the records. However, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data (*i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 2, Lin et al. discloses wherein the record management system is further configured to in response to a second instruction from the user (*i.e., "program monitor 4 is implemented as a sub-module of graphic user interface 3, and is principally concerned with tracking tasks 6 and subtasks 7 launched either directly or indirectly by graphical user interface 3" (col. 6, line 60-65)*) and the one or more records are stored in the memory (*fig. 1*) ((*i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*) but Lin et al. does not explicitly disclose wherein classify one or more the records. However, Heckerman et al. discloses wherein

classify and reclassifying one or more the records or data (*i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 3, Lin et al. discloses all limitation recited in claim 2 and further, Heckerman et al. discloses wherein classify one or more of the records by determining whether one or more of the records have previously been classify (*i.e., "to reclassify a message that was classified by the filter" (0015) and "Essentially, if the user agrees with the classification made by the Filter 204, the message remains in the folder wherein it was placed....if the user disagrees with the classification process, the message is forwarded to the neural Network Junk Trainer for further processing" (0051) and Examiner asserts the limitations" determining" is equivalent with "if the user disagree" or "user agrees").* The motivation is same the motivation on claim 2 and further the combination system will prevent future misclassification and yield more personalized and accurate sorting (*Heckerman, 0051*).

With respect to claim 4, Lin et al. discloses all limitations of claimed invention recited in claim 2 except for wherein classify one or more of the records by reclassifying one or more of the record. However, Heckerman et al. discloses wherein classify one or more of the records by

reclassifying one or more of the record (*i.e.*, *"The Reclassify a message that was previously classified by the filter" (abstract)*). The motivation is the same with the motivation on claim 2.

 With respect to claim 6, Lin et al. discloses wherein the record management system is further configured to in response to a second instruction from the user (*i.e.*, *"program monitor 4 is implemented as a sub-module of graphic user interface 3, and is principally concerned with tracking tasks 6 and subtasks 7 launched either directly or indirectly by graphical user interface 3" (col. 3, line 60-65)*) and the one or more records are stored in the memory (*fig. 1*) ((*i.e.*, *"Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*) but Lin et al. does not explicitly disclose wherein classify one or more the records. However, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data (*i.e.*, *"enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary

skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 7, Lin et al. discloses wherein the record management system is further configured to instruct the processor to display a property of the record (*i.e., "displayed application programs, and each task 6 may in turn launch zero or more subtasks 7" (col. 3, line 8-10)*).

With respect to claim 8, Lin et al. discloses a method for the management of electronic records, the method comprising the steps of;

filing one or more of the record stored on a remote computer (*1*) with a separate central database (*10)(fig. 1)* in response to an instruction from a user (*i.e., "program monitor 4 may also update a remote database 10 resident on server computer 8" (col. 3, line 16-18) or "Once the new application record is built in local record file 5, program monitor 4 reports the LauchID and EndDateTime, along with a ClientID, to server computer for storage in remote database 10" (col. 5, line 45-48) and Examiner asserts that based on response to an instruction from user to the graphical user Interface (col. 3, line 3-10), the application program will be filed the record in local record file 5 and the database10 by program monitor (col. 5, line 45-50) as claimed invention)* ; and

automatically deleting one or more of the record from the remote computer (*1*) upon filing one or more of the record with the central database (*10)(fig. 1)* via a record management system stored on the remote computer (*i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention).*

With respect to claim 9, Lin et al. discloses wherein the record management system is further configured to in response to a second instruction from the user (*i.e., "program monitor 4 is implemented as a sub-module of graphic user interface 3, and is principally concerned with tracking tasks 6 and subtasks 7 launched either directly or indirectly by graphical user interface 3" (col. 3, line 60-65)*) and the one or more records are stored in the memory (*fig. 1*) ((*i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*) but Lin et al. does not explicitly disclose wherein classify one or more the records. However, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data (*i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 10, Lin et al. discloses all limitation recited in claim 2 and further, Heckerman et al. discloses wherein classify one or more of the records by determining whether one or more of the records have previously been classify (*i.e.*, *"to reclassify a message that was classified by the filter" (0015) and "Essentially, if the user agrees with the classification made by the Filter 204, the message remains in the folder wherein it was placed....if the user disagrees with the classification process, the message is forwarded to the neural Network Junk Trainer for further processing" (0051) and Examiner asserts the limitations" determining" is equivalent with "if the user disagree" or "user agrees").* The motivation is same the motivation on claim 9 and further the combination system will prevent future misclassification and yield more personalized and accurate sorting (*Heckerman, 0051*).

With respect to claim 11, Lin et al. discloses all limitations of claimed invention recited in claim 2 except for wherein classify one or more of the records by reclassifying one or more of the record. However, Heckerman et al. discloses wherein classify one or more of the records by reclassifying one or more of the record (*i.e.*, *"The Reclassify a message that was previously classified by the filter" (abstract)*). The motivation is the same with the motivation on claim 9.

With respect to claim 13, Lin et al. discloses wherein the record management system is further configured to in response to a second instruction from the user (*i.e.*, *"program monitor 4 is implemented as a sub-module of graphic user interface 3, and is principally concerned with tracking tasks 6 and subtasks 7 launched either directly or indirectly by graphical user interface 3" (col. 3, line 60-65)*) and the one or more records are stored in the memory (*fig. 1*) (*(i.e.*, *"Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*) but Lin et al. does not explicitly

disclose wherein classify one or more the records. However, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data (*i.e.*, *"enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 14, Lin et al. discloses wherein including display a property of the record (*i.e.*, *"displayed application programs, and each task 6 may in turn launch zero or more subtasks 7" (col. 3, line 8-10)*).

With respect to claim 15, Lin et al. discloses a system for managing electronic records, the system comprising:

means for filing one or more of the record stored on a remote computer (*1*) with a separate central database (*10)(fig. 1*) in response to an instruction from a user (*i.e.*, *"program monitor 4 may also update a remote database 10 resident on server computer 8" (col. 3, line 16-18) or "Once the new application record is built in local record file 5, program monitor 4 **reports** the LauchID and EndDateTime, along with a ClientID, to server computer for **storage in remote database 10"** (col. 5, line 45-48) and Examiner asserts that based on response to an instruction from user to the graphical user Interface (col. 3, line 3-10), the*

application program will be filed the record in local record file 5 and the database10 by program monitor (col. 5, line 45-50) as claimed invention) ; and

means for automatically deleting one or more of the record from the remote computer (*1*) upon filing one or more of the record with the central database (*10*)(*fig. 1*) via a record management system stored on the remote computer (*i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*).

With respect to claim 16, Lin et al. discloses wherein the record management system is further configured to in response to a second instruction from the user (*i.e., "program monitor 4 is implemented as a sub-module of graphic user interface 3, and is principally concerned with tracking tasks 6 and subtasks 7 launched either **directly or indirectly by graphical user interface 3**" (col. 3, line 60-65)*) and the one or more records are stored in the memory (*fig. 1*) ((*i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention*) but Lin et al. does not explicitly disclose wherein classify one or more the records. However, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data (*i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if

necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 17, Lin et al. discloses all limitation recited in claim 2 and further, Heckerman et al. discloses wherein classify one or more of the records by determining whether one or more of the records have previously been classify (*i.e., "to reclassify a message that was classified by the filter" (0015) and "Essentially, if the user agrees with the classification made by the Filter 204, the message remains in the folder wherein it was placed....if the user disagrees with the classification process, the message is forwarded to the neural Network Junk Trainer for further processing" (0051) and Examiner asserts the limitations" determining" is equivalent with "if the user disagree" or "user agrees")*. The motivation is same the motivation on claim 16 and further the combination system will prevent future misclassification and yield more personalized and accurate sorting (*Heckerman, 0051*).

With respect to claim 18, Lin et al. discloses all limitations of claimed invention recited in claim 2 except for wherein classify one or more of the records by reclassifying one or more of the record. However, Heckerman et al. discloses wherein classify one or more of the records by reclassifying one or more of the record (*i.e., "The Reclassify a message that was previously classified by the filter" (abstract)*). The motivation is the same with the motivation on claim 16.

With respect to claim 19, Lin et al. discloses wherein a means for saving the recorded with an associated property remote computer (1) *(fig. 1)* *(i.e., "Task records may be implements as an array of TaskIDs contained within an application record...task records may be separate physical records associated with an application record in a hierarchical data structure. The parent/child designation enables program monitor 4 to continue tracking program usage information for a given application for as long as tasks spawned directly (parent) or indirectly (children) by that application are running" (col. 5, line 32-45) and "Once application record is built in local record file 5" (col. 5, line 45-46) (Examiner asserts that the limitations of "means for classifying one or more of the records" is equivalent with "task records may be separate physical records")).* Further, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data *(i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)).* The motivation is the same with the clam 16.

With respect to claim 20, Lin et al. discloses wherein the record management system is further configured to in response to a second instruction from the user *(i.e., "program monitor 4 is implemented as a sub-module of graphic user interface 3, and is principally concerned with tracking tasks 6 and subtasks 7 launched either directly or indirectly by graphical user interface 3" (col. 3, line 60-65))* and the one or more records are stored in the memory *(fig. 1)* *((i.e., "Upon receipt of confirmation that remote data 10 was successfully update, program monitor 4 may purge the old application records from local record files 5" (col. 6, line 64-67) or (col.6, line 20-32) and Examiner asserts that when the remote data 10 is filled with one or more files, the program monitor will delete one or more record from local (memory) (col. 6, line 64-67) or (col.6, line 20-32) without user interaction and computer and its program (monitor program) will delete the record and it is equivalent with the limitation "automatically" of claimed invention)* but Lin et al. does not explicitly disclose wherein classify one or more the records. However, Heckerman et al. discloses wherein

classify and reclassifying one or more the records or data (*i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)*). Heckerman et al. further teach by classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if necessary. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Lin et al.'s system by adding the function classifies the records or datasets in order to create accurate sorting of data set (spam, email) and accommodate changes in the structure and content of data (junk mail) for easy using data later for the stated purpose has been well known in the art as evidenced by teaching of Heckerman et al. (*0051, 0027*). Further, the system is dealing a volumes amount of information (records or data), as such one of ordinary skill in the art, would have considered it obvious to further classifying record to simplify future searching purposes.

With respect to claim 21, Lin et al. discloses wherein including display a property of the record (*i.e., "displayed application programs, and each task 6 may in turn launch zero or more subtasks 7" (col. 3, line 8-10)*).

    c.   Claims 3-4, 6, 10-11, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornuejols (US Pub. 2004/0117315 A1).in view of Heckerman et al. (U.S. Pub. No. US200400832270 A).

With respect to claims 3, and 17, Cornuejols discloses all limitation recites on claims 1-2 but except for wherein determining whether one or more of the records has have previously been classified. . However, Heckerman et al. discloses wherein classify and reclassifying one or more the records or data (*i.e., "enables recipient to reclassify a message that was previously classified by the filter" (abstract)*), wherein classify one or more of the records by determining whether one or more

of the records have previously been classify (*i.e., "to reclassify a message that was classified by the filter"*
(0015) and "Essentially, if the user agrees with the classification made by the Filter 204, the message remains in the
folder wherein it was placed....if the user disagrees with the classification process, the message is forwarded to the
neural Network Junk Trainer for further processing" (0051) and Examiner asserts the limitations" determining" is
equivalent with "if the user disagree" or "user agrees"). Heckerman et al. further teach by

classify/reclassifying, it is possible to perform a cutoff to large data set for relocating of data if

necessary. It would have been obvious at the time the invention was made to a person having

ordinary skill in the art to modify Cornuejols's system by adding the function classifies the

records or datasets in order to create accurate sorting of data set (spam, email) and accommodate

changes in the structure and content of data (junk mail) for easy using data later for the stated

purpose has been well known in the art as evidenced by teaching of Heckerman et al. *(0051, 0027)*.

Further, the system is dealing a volumes amount of information (records or data), as such one of

ordinary skill in the art, would have considered it obvious to further classifying record to

simplify future searching purposes.

With respect to claims 4 and 18, Cornuejols discloses all limitations of claimed

invention recited in claims 2 or 15 except for wherein classify one or more of the records by

reclassifying one or more of the record. However, Heckerman et al. discloses wherein classify

one or more of the records by reclassifying one or more of the record (*i.e., "The Reclassify a message*

that was previously classified by the filter" (abstract)). The motivation is the same with the motivation on

claim 2.

With respect to claim 10, Cornuejols discloses all limitation recited in claims 8-9 and

further, Heckerman et al. discloses wherein classify one or more of the records by determining

whether one or more of the records have previously been classify (*i.e., "to reclassify a message that*

was classified by the filter" (0015) and "Essentially, if the user agrees with the classification made by the Filter 204,
the message remains in the folder wherein it was placed....if the user disagrees with the classification process, the
message is forwarded to the neural Network Junk Trainer for further processing" (0051) and Examiner asserts the
limitations" determining" is equivalent with "if the user disagree" or "user agrees"). The motivation is same
the motivation on claim 9 and further the combination system will prevent future
misclassification and yield more personalized and accurate sorting (*Heckerman, 0051*).

With respect to claim 11, Cornuejols discloses all limitations of claimed invention
recited in claim 9 except for wherein classify one or more of the records by reclassifying one or
more of the record. However, Heckerman et al. discloses wherein classify one or more of the
records by reclassifying one or more of the record (*i.e., "The Reclassify a message that was previously
classified by the filter" (abstract)*). The motivation is the same.

Response to Arguments

6.   Applicant's arguments filed 11/02/2009, with respect to the rejection(s) of claim(s) 1-4,
6-11 and 13-21 are not persuasive.

   a.   Applicant's argument about the 35 U.S.C 112, first paragraph is not persuasive.
   Applicant contends that this limitation is inherent in the specification as originally filed.
   However, based on the state of the specification on paragraph 0034 (Applicant cites on
   page 6), no where in this paragraph discloses or inherent say "without regard as to
   whether there is available memory for storing at lest one additional record or the amount
   of time of one or more records has been stored". Further, Applicant contends those
   limitations that are supported at paragraph 34 and figure 3 and 4 such as "In block 414,
   the electronic records management, classification and protection system 212 deletes the
   record and the associated property filed from the remote computer 102. After block 414,

the electronic records management, classification and protection system 212 returns to
block 302". Examiner respectfully disagrees since even though fig. 4 shows step 412 to
step 414 and comeback step block 302 and nothing in the written description as originally
filed required determining whether memory was available or whether a predetermined
storages duration had elapsed before deleting the record, **BUT NOTHING in the
written description as originally filed does not required determining whether
memory was available or whether a predetermined storages duration had elapsed
before deleting the record**. Therefore, those limitations above do not supported by
specification and claims 1, 8 and 15 are failing to comply with the written description
requirement and the rejection under 112, first paragraph is proper.

b.   Applicant alleges that Cornuejois fails to teach or suggest deleting one or more
records without regard as to whether there is available memory of storing at least one
additional record or the amount of time the one or more records has been stored.
Examiner respectfully disagrees.

Cornuejous teaches more than the claim's requirement. For particular, Cornuejous
teaches the system that has many features such as one features that Applicant used as argument
at page 9, first paragraph that only deleted when the memory space is full or after determining
that a predetermined storage duration has lapsed **and other feature** let user to select preferences
or setup to their own preferences (paragraph 0178, 0202, 0235) (i.e., *"the option "Preferences
/setup" allows to setup the assistance software and particularly the following feature" (0202)*).
One features that is met requirement of those limitations "deleting one or more records without
regard as to whether there is available memory of storing at least one additional record or the

amount of time the one or more records has been store" (*i.e., "after the step of detecting a start*

of a visit, a step of setup the trace begin before the detection of a transaction, and when no

transaction is detected, the trace is automatically deleted" (0014) or 0318). This feature shows

that system deletes the trace or information about transaction **when the system detects no**

transaction without regard as to whether there is available memory of storing or the amount of

time the one or more records has been stored. Further, the system let user set up their reference

so the system can perform delete **either immediately when detecting** exit from said site or no

transaction (0015, or 0307). Examiner indicates that the system can perform **delete immediately**

when detecting no transaction and Examiner emphasizes that meeting those limitation above.

    c.   Applicant alleges that Lin does not disclose storing a "record" in memory.

Examiner does not agree.

In regarding to limitation storing a record in memory, Lin discloses record is stored in

memory of computer 1 (*i.e., "local recorded file 5 may be any data store resident on client*

computer 1 which program monitor 4 has read/write access. Local record file 5 preferably

resides on a "permanent" storage medium" (col. 4, lines 15-20)). Examiner indicates that

storage medium is one kind of memory. Therefore, Applicant's argument is not persuasive.

    d.   Applicant alleges that non of the reference teach deleting a record "without regard

as to whether there is available memory for storing at least one additional record or the

amount of time the one or more record has been stored". Examiner respectfully

disagrees.

In regarding to limitation "without regard as to whether there is available memory for

storing at least one additional record or the amount of time the one or more record has been

stored". Examiner indicates that **based on the Applicant explained** on pages 6-8 for those limitations above, Lin teaches the same as Applicant's explanation on pages 6-8 (since the specification fails to define those limitation above and Examiner had addressed on the rejection 112, first paragraphs). For particular, Lin discloses at col. 6, lines 25-32 that when receipt of a **confirmation from server computer 8** that remote database 10 was updated with the enddatetime, program monitor 4 **deletes the application record** from local recorded file 4 (step 203) or fig. 2 A shows block 202, the system will deletes the record at remote computer at step 203. After block 203, the record file returns to block 120. Lin discloses nothing that required determining whether memory was available or whether predetermined storage duration had elapsed before deleting the record for particular features of many features of Lin's reference or showing in fig. 2A. Therefore, the references teach all limitation recited in claim.

Prior art

7.   Yamaguchi et al. (U.S. pub US 20020198899A1) (pat No. 6,983,277), at paragraph 0041.

Conclusion

8.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Vy whose telephone number is (571) 272-1954. The examiner can normally be reached on Monday-Friday 8:30 am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 308-7722 for After Final communications.

       Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either private Pair or Public Pair. Status information for unpublished applications is available through Private Pair only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

//Hung T Vy/

Primary Examiner, Art Unit 2163

November 26, 2009